

the reasons for the sanctions imposed (“DHO report”). Based on this alleged violation of due process rights, Gainer seeks expungement of the disciplinary offense and restoration of the GCT.

The Report recommends finding that Gainer received a copy of the DHO report regarding Claim (D) in 2019 during the course of this litigation, *see* ECF No. 11-7. Finding material facts in dispute regarding the respondent’s defenses, however, the Report recommends denying the Motion for Summary Judgment. No party has filed objections to the Report, and I find no clear error.

For the stated reasons, it is **ORDERED** as follows:

1. The Report and Recommendation, ECF No. 18, is ADOPTED in full;
2. The respondent’s Motion for Summary Judgment, ECF No. 10, is DENIED; and
3. Petitioner Gainer is hereby DIRECTED TO SHOW CAUSE within 21 days from the entry of this Order why this case should not be dismissed as moot, because he now has a copy of the DHO Report related to Claim (D).

ENTER: September 30, 2020

/s/ James P. Jones
United States District Judge